IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

MANDRELLA C. SHEPARD-SALGADO,	*	
	*	
Plaintiff,	*	
	*	
vs.	*	**Civil Action No. 11-00427-B**
	*	
TYNDALL FEDERAL CREDIT UNION.,	*	
***et al.*,**	*	
	*	
Defendants.	*	

ORDER

This action is before the Court on Defendant USAA FSB's Motion to Dismiss (Doc. 46) and Plaintiff Mandrella C. Shepard-Salgado's Notice of Dismissal Without Prejudice (Doc. 59). In her motion, Plaintiff seeks to dismiss her claims against Defendant USAA FSB without prejudice. Fed. R. Civ. P. 41(a) provides that a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment, or by filing a stipulation of dismissal signed by all parties who have appeared. A review of the docket reflects that no answer or motion for summary judgment has been filed on behalf of Defendant USAA FSB. Accordingly, Plaintiff's claims against Defendant USAA FSB are dismissed without prejudice, and Defendant USAA FSB's Motion to Dismiss (Doc. 46) is denied as moot.

This action shall proceed with respect to Plaintiff's claims against the remaining Defendants.

DONE this **12th** day of **October**, **2011.**

/s/ SONJA F. BIVINS
UNITED STATES MAGISTRATE JUDGE